Patent Attorney's Docket No. P2080/445

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)
James D. Kelly	) Group Art Unit: Unassigned
Application No.: 08/779,632	Examiner: Unassigned
Filed: January 7, 1997	BOX DAC  BOX DAC  OCT  OCT  OCT  OCT  OCT  OCT  OCT  O
For:BUS TRANSACTION REORDERING IN A COMPUTER SYSTEM HAVING UNORDERED SLAVES	Attention: Office of Petition
PETITION TO WITHDRAW HOLDING O	FABANDONMENT - MPER SYLLOGIC
Assistant Commissioner for Patents	RECEIVED
Washington, D.C. 20231	SEP 3 0 1998

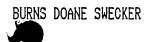
Sir:

SPECIAL PROGRAMS OFFICE

Applicant hereby petitions the Assistant Commissioner of Patents to withord the holding of abandonment of the subject application.

After receiving no response to Status Inquiries filed by Applicant on July 2, 1997 and November 26, 1997, Applicant has learned through a telephone inquiry to the U.S. Patent Office that the application is in the "abandoned area", but has not yet been abandoned, for failure to respond to a Notice to File Missing Parts dated March 20, 1997. A copy the front page of said Notice to File Missing Parts is attached, as faxed to Applicant by Doshie Day of the U.S. Patent Office on February 5, 1998, as a result of the telephone inquiry.

The undersigned has made a search of the application file jacket and firm docket records. This search indicates that no such Notice of Missing Parts was received. A copy of the docket record where the non-received Notice of Missing Parts would have been



Application Serial No. <u>08/779.632</u> Attorney's Docket No. <u>P2080/445</u>

entered had it been received and docketed is attached. In particular, had the Notice of Missing Parts been received, the Declaration/Power of Attorney and surcharge would have been docketed for May 20, 1997.

The column format of the docket sheets is as follows: due date, attorney docket number, action to be taken, client, inventor, initials of responsible attorney, and country. The client and inventor columns have been redacted. The attorney docket number for this application is P2080/445, as indicated on the application as originally filed. As may be seen from the docket report, no entry for this docket number is found.

Based on this showing, withdrawal of the holding of ahandonment is respectfully requested.

Accompanying this Petition is the executed Declaration and Transmittal Letter for Missing Parts of Application, authorizing payment of the \$130.00 surcharge from Applicant's deposit account.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

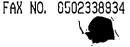
By:

Michael J. Ure

Registration No. 33,089

Post Office Box 1404 Alexandria, Virginia 22313-1404 (650) 854-7400 Date: April 13, 1998

OCT O 6 1998



Patent Attorney's Docket No. P2080/445

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	
James D. Kelly	Group Art Unit: Unassigned
Application No.: 08/779,632	Examiner: Unassigned
Filed: January 7, 1997	BOX DAC
( For:BUS TRANSACTION REORDERING )	Attention: Office of Petitions
IN A COMPUTER SYSTEM HAVING )	l e e e e e e e e e e e e e e e e e e e
UNORDERED SLAVES	

## PETITION TO WITHDRAW HOLDING OF ABANDONMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Enclosed is a Petition to Withdraw Holding of Abandonment - MPEP §711.03(c) for the above-identified patent application.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

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BURNS, DOANE, SWECKER & MATHIS, L.L.P.

01 FC:122 130.00 CH

Michael I Has

Post Office Box 1404 Alexandria, Virginia 22313-1404

(650) 854-7400 Date: April 13, 1998 Registration No. 33,089

(Pouched 4/14/98) MJU/ser ' 22030/445 001580-445 Petition to Willidraw Holding of Abandonment with attached copy of Notice to File Missing Parts and copies of docket records; Transmittal Letter; executed Combined Declaration/Power of Attorney; Transmittal Letter for Missing Parts of Application R: Kolly INVENTOR: -08/779,632 SERIAL NO: \_ 210 APR 1 5 1998 January 7, 1997 FILING DATE: RECEIVED BY THE UNITED STATES PATENT OFFICE 4/15/98 3/1026 the state of the same

# BURNS, DOANE, SWECKER & MATHIS, L.L.P.

ATTORNEYS AT LAW

3000 SAND HILL ROAD **BUILDING 4 - SUITE 160** Menlo Park, California 94025-7116

TELEPHONE: (650) 854-7400

TO:

Doshic Day, U.S. Patent Office

**Customer Corrections Branch** 

THE FIRM'S FACSIMILE TRANSMITTERS:

FROM: Sharon E. Ryan

Menlo Park: Group 3

(650) 854-8275

Group 4

(650) 854-8908

DATE:

August 27, 1998

If Unable, Then Fax To Our

Alexandria, Virginia Office:

PAGES TO FOLLOW: 15

Group 3

(703) 836-2021

Group 3 Group 3 (703) 836-3503 (703) 836-7356

Group 4

(703) 836-002X

RE:

USSN 08/779,632, filed January 7, 1997

MESSAGE: Per our telephone conversation this morning, please see attached Petition to Withdraw Holding of Abandonment with regard to failure to respond to Notice to File Missing Parts. This Petition was filed on April 15, 1998, after our telephone conversation. After receipt of the Petition, you assured me that an Official Filing Receipt would be forthcoming. lustcad, we received a Notice of Abandonment dated April 27, 1998. Please review this fax and then contact me with any comments you might have or let me know any additional information you might need. Thanks for your help.

Client No.

001580-445

Fax Tcl. No. (703) 305-9863

Any questions regarding compatibility should be directed to our Office Services Department at 703/836-6620 in Alexandria, at 650/854-7400 in Menlo Park, and at 919/941-9240 in Durham.

Menlo Park Fox No.: (650) 854-8275

Durham Fax No.: (919) 941-1515

NOTE: The information contained in this facsimile message is attorney-elient privileged and contains confidential information intended only for the use of the individual named above and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is suictly prohibited. If you have received this communication in error, please notify us immediately by telephone (703/836-6020 in Alexandria, 650/854-7400 in Mento Park, and 919/941-9240 in Durham) and return the original transmission to us by mail without making a copy.

FULL NAME OF THIRD JOINT INVENTUR, IF ANY

RESIDENCE

POST OFFICE ADDRESS

COMBINED DE	CLARATION	AND POWER	OF ATTOR	NEY	Attorney Docks	ct No.		
COUNTRY/INTER	RNATIONAL	APPLICATION	APPLICATION NUMBER				PRIORITY CLAIMED	
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						YES_	_NO_	
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William L. Mathis	17,337	Patrick C. Kenne	32,85		Mark A. Superko		34,027	
Robert S. Sweeker Platon N. Mandros	19.885	William H. Benz	25,95		Susan E. Heminger		36,449	
Alan E. Kopecki	22,124 25,813	Michael G. Savage	-		Mark Aaker		32,667	
Samuel C. Miller, III	27,360	Steven S. Payne Michael J. Ute	35,31 33,08		Paul D. Carmichael Vernon Randall Gar		18.679	
James A. LaBarre	28,632	Charles F. Wieland			David J. Larwood		33,886 77,101	
James W. Peterson	26,057	Harold R. Brown i			Richard Liu		33,191 34,377	
Robert E. Krebs	25.885	Kenneth B. Leffler	00151		Robert T. Martin		32.426	
T. Gene Dillahunty	25,423	Allen R. Baum	36,08		Helene Plotka Work		35,981	
Androny W. Shaw	30,104	Steven M. duBois	35.02		Nancy R. Sunon		36,930	
Address all corresponder	nce to:	James W. Peter Burns, Doane, S 699 Prince Street	Swecker & Mat					
		Alexandria, Virg	ginia 22314-3187	7				
Address all telephone cal	lls to: <u>Michae</u>	el J. Ure, Esa.		·		_at (415) §	354-7400.	
I hereby declare that all and belief are believed statements and the like the United States Code and thereon.	to be true; and so made are pur that such willful	further that these hishable by fine or	statements wer imprisonment, o	e made v or both, u	vith the knowleds under Section 100	ge that will of Title	llful false 18 of the	
full name of sole or f	TRST INVENTOR		SIGNATURE			DATE		
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DATE





## COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Attorncy Docket No.

P2080/445

As a below-named inventor, I hereby declare that: My residence, post office address and citizenship are as s I BELIEVE I AM THE ORIGINAL, FIRST AND SOI ORIGINAL, FIRST AND JOINT INVENTOR (if more to WHICH IS CLAIMED AND FOR WHICH A PATENT	LE INVENTOR (If only one name is listed below) OR AN han one name is listed below) OF THE SUBJECT MATTER
BUS TRANSACTION REORDERING IN A COMPUTE	R SYSTEM HAVING UNORDERED SLAVES
the specification of which	
(check one)	is attached hereto; was filed on January 7, 1997, as
	Application No. 08/779,632
	and was amended on; (if applicable)
	and was amended on; (if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

**Patent** Attorney's Docket No. P2080/445

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)
James D. Kelly	)
•	) Group Art Unit: Unassigned
Application No.: 08/779,632	)
	) Examiner: Unassigned
Filed: January 7, 1997	)
	) BOX DAC
For: BUS TRANSACTION REORDERING	)
in a computer system having	) Attention: Office of Petitions
UNORDERED SLAVES	)

#### TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

**BOX: MISSING PART** 

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(e) dated March 20, 1997, enclosed please find:

- [X]a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of [] \$65.00 [X] \$130.00 as set forth in 37 C.F.R. § 1.16(e);
- **[X]** other Petition to Withdraw Holding of Abandonment - MPEP §711.03(c);
- a check in the amount of \$\_\_ is enclosed for the missing parts surcharge; and
- [X] charge \$130.00 to Deposit Account No. 02-4800 for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R.

P.O. Bux 1404 Alexandria, Virginia 22313-1404 (650) 854-7400

Registration No. 33,089

Date: April 13, 1998

FAX NO. 0502338934

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Burns, Doane, Swecker & Mathis

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Burns, Doane, Swecker & Mathis

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Date. MAY 20 97 Page 24

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Address: COMM VER PATENTS AND TRACEMARKS
Washin, Ind. 20231

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03/20/92

#### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3 6 only of \$	
If all required items on this form are filed within the period set above, the total amount owed by applicant as a the seriod set above.	
☐ 1. The statutory basic filing fee is: ☐ missing. ☐ insufficient. Applicant must submit \$	
2. Additional claim fees of \$, including any multiple dependent claim fees, are required.  Applicant much cither authorit the additional claim fees or cancel additional claims for which fees are due.	
3. The oath or declaration is missing. does not cover the newly submitted items. does not identify the application to which it applies. does not identify the application to which it applies. does not include the city and state or foreign country of applicant's residence. An oath or declaration in compliance with 37 CFR 1. 63, including residence information and identifying the application by the above Application Number and Filing Date is required.	
<ul> <li>4. The signature(s) to the oath or declaration ic/are;</li> <li>missing.</li> <li>by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.</li> <li>A properly signed oath or declaration in compliance with 37 CFR 1.63, Identifying the application by the above Application Number and Filling Date, is required.</li> </ul>	
☐ 5. The aignature of the following joint inventor(s) is missing from the eath or declaration:	
An eath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.	
3 8. A \$ processing lee is required since your check was rehumed without payment (37 CFR 1.21(m)).	
J 7. Your filing receipt was mailed in error because your check was returned without payment.	
8. The application does not comply with the Coquence Rules. See altached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  9. OTHER:	
Direct the response and any questions about this notice to "Attention: Box Missing Parts."	
A copy of this notice MUST be returned with the response.  Custoffer Service Center (703) 308-1202	
ORM PTD-1523 (REV 7-49) PART 3- OFFICE COPY	